

ORDINANCE NO. 2005-O-44

AN ORDINANCE AMENDING ORDINANCE NO. 2004-O-36 TO REPEAL SEC.33.304 EXEMPTING EXISTING LOTS FROM HAVING TO APPLY FOR AND OBTAIN A SITE DEVELOPMENT PERMIT; PROVIDING SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETING CLAUSES

WHEREAS, the Village of Volente finds that Section 33.304 of Article 33.300 of the Village's Site Development Ordinance conflicts with other provisions of Article 33.300; and

WHEREAS, the Village of Volente finds no rational basis for distinguishing between those lots existing before the passage of Article 33.300 and those lots coming into existence after the passage of Article 33.300; and

WHEREAS, the Village of Volente finds no rational basis for distinguishing between land platted and approved before the passage of Article 33.300 and land platted and approved after the passage of Article 33.300;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VOLENTE:

1. The Village of Volente Ordinance No. 2004-O-36, Article 33.300 Site Development Regulations, passed and approved on October 26, 2004, is amended as follows:

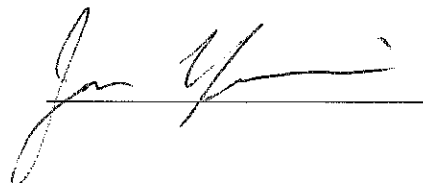
(a) SECTION 33.304 IN ITS ENTIRETY IS REPEALED.

2. SEVERABILITY: In the event that any provision of this Ordinance shall be found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed, and all remaining provisions shall remain in full force and effect as though such void or unenforceable provisions had never formed a part of this Ordinance.

3. EFFECTIVE DATE: This Ordinance shall take effect immediately from and after its passage and publication of its enacting ordinance in accordance with the provisions of *Chapter 52 of the Texas Local Government Code*.

4. OPEN MEETINGS: It is hereby officially found and determined that the meeting at which the enacting ordinance of this article is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551 of the Texas Government Code*.

PASSED AND APPROVED on the 6th day of June, 2005.



JAN YENAWINE, MAYOR OF THE
VILLAGE OF VOLENTE

ATTEST:


JENNIFER ZURFELT, CITY SECRETARY